



IFW

Docket No.: A0345.0003
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hamed Aissaoui et al.

Application No.: 10/501,054

Confirmation No.: 1663

Filed: September 15, 2004

Art Unit: 1625

For: NOVEL QUINOLINE DERIVATIVES

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Timing of Filing of the Information Disclosure Statement:

- ☒ This IDS is being filed before the First Office Action¹.
- ☐ This IDS is being filed after the issuance of the First Office Action but before the issuance of a Final Office Action².

- ☐ This IDS is being filed after the issuance of a Final Office Action, Ex Parte Quayle Action or Notice of Allowance but before the payment of the Issue Fee³.

Certifications:

If checked, the undersigned makes the following statement(s):

- ☐ Statement under 37 CFR § 1.97(e):

Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; or

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

- ☐ Statement Under 37 C.F.R. § 1.704(d):

Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart

¹ The IDS should, where possible, include a certification under 37 C.F.R. §1.97(e).

² The IDS *must* include *either* a certification under 37 C.F.R. §1.97(e) *or* the fee set forth in 37 C.F.R. §1.17(p).

³ The IDS *must* include *both* a certification under 37 C.F.R. §1.97(e) *and* the fee set forth in 37 C.F.R. §1.17(p).

application less than thirty days prior to the filing of this information disclosure statement.

Fee Required by 37 C.F.R. § 1.97(c)(2) or 1.97(d)(2):

☐ If checked, the fee of \$180.00 set forth in 37 C.F.R. §1.17(p) is attached.

Copies of Information:

In accordance with 37 C.F.R. §1.98(a), the following are enclosed:

- ☒ A legible copy⁴ of each document (or relevant portion thereof) cited in the attached PTO/SB/08, except for U.S. patent and U.S. published applications.
- ☐ With respect to any information which is not in English, a concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, is attached.
- This concise explanation is provided by way of:

- ☐ A translation of the relevant portions of the non-English language information⁵;
- ☐ A statement explaining the relevant portions of the non-English language information;

⁴ A legible copy of the document is not required if (1) the information was previously cited by, or submitted to, the Office and considered by the Office in a prior U.S. application to which this application claims priority, provided that the prior application is properly identified in this IDS, and (2) the IDS submitted in the earlier application complies with 37 C.F.R. § 1.98(a) – (c). This exception does not apply to information cited in an International Application.

⁵ 37 C.F.R. §1.98(a)(3)(ii) *requires* that an English language translation be provided when a translation of the document, or portion thereof, “is within the possession, custody or control of, or is readily available to any individual designated in 37 C.F.R. § 1.56(c).”

☐ A copy [and, where not in the English language, a translation] of at least the relevant portion(s)⁶ of the communication from a foreign patent office in a counterpart foreign application in which the information was cited; or

☐ This information is contained in the specification of the present application.

☐ In accordance with 37 C.F.R. 1.98(d), copies of the cited documents are not enclosed as they were provided in application Serial No. _____, filed _____, which the present application relies upon for an earlier effective filing date under 35 U.S.C. 120.

Materiality:

Whether or not the information and references disclosed in this Information Disclosure Statement is "material" pursuant to 37 CFR 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

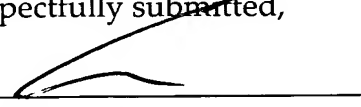
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

⁶ The relevant portion is that portion which indicates the degree of relevance found by the foreign patent

In the event the actual fee is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

Dated: July 19, 2006

Respectfully submitted,

By 

Charles E. Miller

Registration No.: 24,576

DICKSTEIN SHAPIRO LLP

1177 Avenue of the Americas

41st Floor

New York, New York 10036-2714

(212) 277-6500

Attorney for Applicant

office. This may be an explanation of which portion of the of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report. MPEP §609 III A(3).



PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/501,054-Conf. #1663
				Filing Date	September 15, 2004
				First Named Inventor	Hamed Aissaoui
				Art Unit	1625
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	A0345.0003

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	EP 0 428 434	05-22-1991	Sanofi S.A.		
	BB	WO 99/21835	05-06-1999	Fujisawa Pharmaceutical Co., Ltd.		
	BC	WO 01/09088	02-08-2001	Kirin Beer Kabushiki Kaisha		
	BD	WO 01/45694	06-28-2001	Smithkline Beecham Corporation		
	BE	WO 01/66143	09-13-2001	Takeda Chemical Industries, Ltd.		
	BF	WO 02/02530	01-10-2002	Takeda Chemical Industries, Ltd.		
	BG	WO 02/47687	06-20-2002	Smithkline Beecham Corporation		
	BH	WO 02/058702	08-01-2002	Smithkline Beecham Corporation		
	BI	WO 02/078641	10-10-2002	Smithkline Beecham Corporation		
	BJ	WO 02/078707	10-10-2002	Smithkline Beecham Corporation		
	BK	WO 02/079155	10-10-2002	Smithkline Beecham Corporation		
	BL	WO 02/079188	10-10-2002	Smithkline Beecham Corporation		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	CA	Ames, R.S., et al., <i>Nature</i> (1999), 401, pp. 282-286		
	CB	Barlin G.B., et al., <i>Aust. J. Chem.</i> (1984), 37, pp 1065-1073		
	CC	Bern H.A., et al., <i>Recent Prog. Horm. Res.</i> (1985), 41, pp. 533-552		
	CD	Breu V., et al., <i>FEBS Lett.</i> (1993), 334, pp. 210-214		
	CE	Douglas S.A., et al., <i>Br. J. Pharmacol.</i> (2000), 131, pp. 1262-1274		
	CF	Douglas S.A., et al., <i>J. Cardiovasc. Pharmacol.</i> (2000), 36, Suppl. 1, pp. S163-166		

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/501,054-Conf. #1663
				Filing Date	September 15, 2004
				First Named Inventor	Hamed Aissaoui
				Art Unit	1625
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	A0345.0003

	CG	Garlton J., et al., <i>Psychopharmacology</i> (Berlin) (2001), 155, pp. 426-33	
	CH	Irving H., et al., <i>J. Chem. Soc.</i> (1959), p. 288	
	CI	Kaneko C., et al., <i>Chem. Pharm. Bull.</i> (1980), 28, pp. 1157-1171	
	CJ	Laguzza B.C., et al., <i>Tetrahedron Lett.</i> (1981), 22, pp. 1483-1486	
	CK	Liu Q., et al., <i>Biochem. Biophys. Res. Commun.</i> (1999), 266, pp. 174-178	
	CL	Mori M., et al., <i>Biochem. Biophys. Res. Commun.</i> (1999), 265, pp. 123-129	
	CM	Radinov R., et al., <i>Synthesis</i> (1986), pp. 886-891	
	CN	Russell F.D. et al., <i>Br. J. Pharmacol.</i> (2001), 132, pp. 5-9	
	CO	Silvestre R.A., et al., <i>Horm. Metab. Res.</i> (2001), 33, pp. 379-381	
	CP	Takahashi K., et al., <i>Peptides</i> (2001), 22, pp. 1175-1179	
	CQ	Totsune K., et al., <i>Lancet</i> (2001), 358, pp. 810-811	
	CR	Tsandsis A., et al., <i>J. Am. Coll. Cardiol.</i> (2001), 37, p. 164A	
	CS	Zou Y., et al., <i>FEBS Lett.</i> (2001), 508, pp. 57-60	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--